UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

Nos. *93-5414* and *94-5048*

INSTRUCTIONAL SYSTEMS, INC.,
a Corporation of the State of New Jersey

v.

COMPUTER CURRICULUM CORPORATION,
a Corporation of the State of Delaware

SUR PETITION FOR REHEARING

Present: SLOVITER, *Chief Judge*, BECKER, STAPLETON, MANSMANN, GREENBERG, HUTCHINSON, SCIRICA, COWEN, NYGAARD, ROTH, LEWIS, McKEE, *Circuit Judges*, and POLLAK,* *District Judge*

The petition for rehearing filed by Appellee Computer Curriculum Corporation in the above-entitled case having been

---

* Hon. Louis H. Pollak, United States District Judge, as to panel rehearing only.

submitted to the judges who participated in the decision of this court and to all the other available circuit judges of the circuit in regular active service, and no judge who concurred in the decision having asked for rehearing, and a majority of the circuit judges of the circuit in regular active service not having voted for rehearing by the court in banc, the petition for rehearing is denied. Judge Becker would grant rehearing in banc.

By the Court,

/s/ D. Sloviter
Chief Judge

Dated: Nov. 3, 1994

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

Nos. *93-5722*

INSTRUCTIONAL SYSTEMS, INC.,
a Corporation of the State of New Jersey

v.

COMPUTER CURRICULUM CORPORATION,
a Corporation of the State of Delaware

SUR PETITION FOR REHEARING

Present: SLOVITER, *Chief Judge*, ROTH, *Circuit Judge*, and POLLAK, *District Judge*

The petition for rehearing filed by Appellant Instructional Systems, Inc. in the above-entitled case having been submitted to the judges who participated in the decision of this court, and no

judge who concurred in the decision having asked for rehearing, the petition for rehearing is denied.

By the Court,

/s/ D. Sloviter
Chief Judge

Dated: Nov. 3, 1994